

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

TECHSTYLE, INC.; TECHSTYLE
VENTURES, LLC; FABLETICS, LLC;
and DOES 1-10, inclusive,

Defendants.

Case No.: 2:24-cv-07239-WLH-SK

**CONSENT DECREE;
ORDER [DKT. 9]**

I.

INTRODUCTION

This action was brought by the U.S. Equal Employment Opportunity Commission (“the EEOC”) on August 26, 2024, against Techstyle, Inc., Techstyle Ventures, LLC and Fabletics, LLC (collectively, “Defendants”) under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000 et seq. (“Title VII”), for an order directing Defendants to prepare, execute, and file accurate and complete Employer Information Report EEO-1s (“EEO-1 reports”) as required by Section 709(c) of Title VII, 42 U.S.C. §2000e-8(c), and regulations issued thereunder, 29 C.F.R. §§1602.7-1602.14. The EEOC alleges that in prior reporting years, including 2019, 2020, 2021 and 2022, and despite written notice from the Commission, Defendants failed and refused to fully comply with their obligation to file such EEO-1 reports, in violation of said statute and regulations.

The EEOC and Defendants (“the Parties”) hereby agree to the entry of this Consent Decree (“Decree”), which shall fully and finally resolve all claims asserted by the EEOC in *EEOC v. Techstyle, Inc. et al., Does 1-10, Inclusive*, No. 2:24-cv-07239-WLH-SK. The Parties stipulate that this Court has jurisdiction over the Parties, the subject matter of the action, and enforcement of the Decree. The Parties further stipulate that this Court has the authority to enter and to enforce the Decree and that the Decree is final and binding upon the Commission and upon Defendants and their agents, directors, officers, members, employees, successors, and assigns.

II.

GENERAL PROVISIONS

1. This Decree shall remain in effect for five (5) years from the date it is entered by this Court.

1 2. All time periods specified in this Decree shall be computed in
2 accordance with Fed. R. Civ. P. 6(a)(1).

3 3. If one or more provisions of this Decree are adjudicated to be
4 unlawful or unenforceable, the Parties shall engage in reasonable efforts to amend
5 the Decree to preserve or effectuate, in a lawful manner, the purpose or intent of
6 the conflicting provision. In any event, all other provisions of the Decree shall
7 remain in full force and effect.

8 4. The Parties shall each bear their own attorneys' fees and costs
9 incurred in connection with the action.

10 5. Prior to any sale, merger or transfer of Defendants' business or assets
11 in whole or part, Defendants shall provide written notice to the potential purchaser
12 or transferee, and to any other potential successor, of the existence of and
13 allegations in this action and of the contents of the Decree, along with a copy of the
14 Complaint and this Decree. Within ten (10) days of providing the notice required
15 under this provision to a potential successor, Defendants shall inform EEOC of the
16 entity to which it was given and provide EEOC copies of the notice documents and
17 communications.

18 6. When this Decree requires the submission of records, notices, reports
19 or other documents or information to one or both Parties, such submission shall be
20 deemed served on the date it is received. Unless otherwise specified by the
21 receiving Party, service of documents and information shall be by certified or
22 electronic mail:

23 a. If to EEOC: Anna Y. Park, Regional Attorney, U.S. Equal
24 Employment Opportunity Commission, 255 East Temple Street, 4th Floor, Los
25 Angeles, CA 90012; facsimile number (213) 894-1301; and lado.legal@eeoc.gov
26 or such other person as EEOC shall designate.

1 b. If to Defendants: Techstyle, Inc., Techstyle Ventures, LLC and
2 Fabletics, LLC, General Counsel, 800 Apollo Street, El Segundo, CA 90245, or
3 such other person as Defendants shall designate.

4 7. This Decree resolves the claims asserted by the Commission in the
5 Complaint in *EEOC v. Techstyle, Inc. et al., Does 1-10, Inclusive*, No. 2:24-cv-
6 07239-WLH-SK, through the date of entry of the Decree.

7 8. Upon approval and entry of the Decree, the Court shall dismiss the
8 action with prejudice while retaining jurisdiction over the Decree and to resolve
9 any claims or disputes concerning implementation, enforcement, or amendment of
10 the Decree and to enter any order, judgment or agreement related to the same.

11 **III.**

12 **EEO-1 REPORTING COMPLIANCE**

13 9. Defendants, on or before October 15, 2024, shall produce and file
14 compliant EEO-1 Reports required by Section 709(c) of Title VII, 42 U.S.C.
15 §2000e-8(c), and the regulations issued thereunder, 29 C.F.R. §§1602.7-1602.14,
16 separately for reporting years 2019, 2020, 2021 and 2022.

17 10. The EEOC shall provide Defendants with instructions for filing
18 delinquent reports within two business days of the entry of this Decree. Defendants
19 shall comply with those instructions.

20 11. During the term of this Decree, for any additional year in which
21 Defendants are required to file an EEO-1 Report pursuant to 709(c) of Title VII, 42
22 U.S.C. §2000e-8(c), and the regulations issued thereunder, 29 C.F.R. §§1602.7-
23 1602.14, Defendants shall timely file their EEO-1 Report in each such year
24 consistent with the deadlines, protocols, specifications and instructions contained
25 in the EEO-1 Component 1 Data Collection Instruction Booklet and EEO-1
26 Component 1 Data File Upload Specifications for such respective year. If any
27 Defendant believes that it is no longer subject to EEO-1 filing requirements, it
28

1 shall follow the procedures provided for on the EEO-1 website for reporting any
2 necessary changes in filing status.

3 **IV.**

4 **EEO-1 REPORTING MONITOR**

5 12. Within fourteen (14) days of the date on which this Decree is entered
6 by the Court, Defendants shall appoint an EEO-1 Reporting Monitor (the
7 “Monitor”) and provide notice to EEOC of the name, title, and contact information
8 of the person so designated. If the designated Monitor changes during the term of
9 this Decree, Defendants shall provide EEOC notice as to the successor Monitor
10 within seven (7) days of his/her assuming such responsibilities. Defendants shall
11 ensure that the Monitor is familiar with EEO-1 reporting obligations under Title
12 VII and has all resources necessary to ensure Defendants’ compliance with their
13 EEO-1 reporting obligations and with this Decree.

14 13. For each annual EEO-1 report submitted by Defendants pursuant to
15 the requirements of Title VII and/or this Decree, the Monitor shall, within seven
16 (7) days of Defendants’ filing of such EEO-1 report, submit a certification to
17 EEOC confirming:

18 a. the date and manner by which the respective EEO-1 report was
19 filed;

20 b. whether Defendants filed as a single or multi-establishment
21 employer;

22 c. the number and type of component reports filed (i.e., headquarters,
23 consolidated, and/or establishment(s) reports);

24 d. that prior to filing the Monitor reviewed the EEO-1 report and
25 applicable laws, regulations and EEOC Data Collection Instruction Booklets and
26 Upload Specifications; and
27

1 e. the EEO-1 report, including all component parts, is accurate and
2 complies with such requirements.

3 V.

4 **DECREE COMPLIANCE MONITORING**

5 14. During the term of the Decree, the EEOC is authorized to monitor
6 compliance with the Decree, which may occur through inspection of Defendants'
7 premises, attendance or observance of events required by the Decree, interviews
8 with Defendants' employees or representatives, production and inspection of
9 Defendants' records, and other investigatory techniques provided for under Title
10 VII or the Commission's regulations. Further, Defendants shall, through the
11 Monitor:

12 a. respond within fourteen (14) days to EEOC informational requests
13 concerning the status, content, or manner of preparation or filing of any EEO-1
14 reports subject to this Decree; and

15 b. respond within fourteen (14) days to EEOC requests to verify
16 compliance with the Decree and/or the information contained in any EEO-1 report.
17 This includes making available to EEOC relevant records, data, or personnel, and
18 providing EEOC access to their premises to verify the accuracy of Defendants'
19 reported information and classification of employees.

Respectfully submitted,

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Date: September 11, 2024

/s/ Anna Y. Park
By: Anna Y. Park
Attorney for Plaintiff, EEOC

Date: September 10, 2024

/s/ Matthew B. Fojut
Matthew B. Fojut
General Counsel and Representative
for Defendants Techstyle, Inc.,
Techstyle Ventures, LLC and
Fabletics, LLC

ORDER

The provisions of the foregoing Consent Decree are fair, reasonable, and adequate. The Consent Decree is hereby approved and compliance with all provisions is HEREBY ORDERED. The Court hereby retains jurisdiction over this Consent Decree until its expiration.

Date: September 20, 2024



HON. WESLEY L. HSU
UNITED STATES DISTRICT JUDGE